

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**

1 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re: Case No.: 18-32366  
Charlene Roberts Judge: Kaplan

Debtor(s)

**Chapter 13 Plan and Motions**

☐ Original ☒ Modified/Notice Required Date: March 21, 2019  
☒ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

**The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: RG Initial Debtor: CR Initial Co-Debtor:

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 197 per month to the Chapter 13 Trustee, starting on December 1, 2018 for approximately 36 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☒ Other sources of funding (describe source, amount and date when funds are available):

Non-exempt proceeds of personal injury case disclosed on Schedule B of the Debtor's Petition to be paid to Trustee.

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

### Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 1,635
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:  
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Ditech Financial LLC (Claim #15)	Residence - 218 Raritan Street Keyport, NJ 07735	\$2,858.06	0%	\$2,858.06	\$1,864.32

**b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments** ☐ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Real Time Resolutions, Inc. (Claim #11)	Residence - 218 Raritan Street Keyport, NJ 07735	\$40,118.72	\$220,000	First Mortgage Ditech Financial, LLC - \$254,220.41 - (Claim #15)	No Value	N/A	\$0

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender** ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**f. Secured Claims Unaffected by the Plan** ☐ **NONE**

The following secured claims are unaffected by the Plan:

**g. Secured Claims to be Paid in Full Through the Plan:** ☐ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan
Wells Fargo Bank, N.A. (Claim #7)	Furniture	\$788.50

**Part 5: Unsecured Claims** ☐ **NONE**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*
- ☐ Not less than \_\_\_\_\_ percent
- ☒ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases ☒ NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

**Part 7: Motions ☐ NONE**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.** ☐ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
Real Time Resolutions, Inc. (Claim #11)	Residence - 218 Raritan Street Keyport, NJ 07735	\$40,118.72	\$220,000	First Mortgage Ditech Financial, LLC - \$254,220.41 - (Claim #15)	No Value	\$40,118.72

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.** ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.



**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages 5) Priority Claims 6) General Unsecured Claims

**d. Post-Petition Claims**

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification ☒ NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: January 28, 2019.

Explain below **why** the plan is being modified:  
To include the non-exempt portion of the Debtor's PI Case

Explain below **how** the plan is being modified:  
To include the non-exempt portion of the Debtor's PI Case

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

**Part 10: Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

## Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: March 21, 2019

/s/ Charlene Roberts  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

Date: March 21, 2019

/s/ Ryan Gentile  
Attorney for Debtor(s)

## Certificate of Notice Page 11 of 12

United States Bankruptcy Court  
District of New JerseyIn re:  
Charlene Roberts  
DebtorCase No. 18-32366-MBK  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf901Page 1 of 2  
Total Noticed: 50

Date Rcvd: Mar 22, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 24, 2019.

db  
517922320 +Charlene Roberts, 218 Raritan Street, Keyport, NJ 07735-5139  
American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,  
Malvern PA 19355-0701  
517973273 American Express Travel Related Services Company,, Inc., c/o Becket and Lee LLP,  
PO Box 3001, Malvern PA 19355-0701  
517865016 +Amex, PO Box 297871, Fort Lauderdale, FL 33329-7871  
517865017 +BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
(address filed with court: Bank of America, PO Box 982238, El Paso, TX 79998)  
517865018 +Bank of America, N.A., 100 N. Tryon Street, Charlotte, NC 28255-0001  
517956169 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284  
517865019 +Barclays Bank, PO Box 8803, Wilmington, DE 19899-8803  
517961873 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
517965598 +Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L.,  
6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853  
517865021 +Chase Card, PO Box 15298, Wilmington, DE 19850-5298  
517865022 +Commonwealth Financial, 245 Main Street, Dickson City, PA 18519-1641  
517865025 +++DITECH FINANCIAL LLC, 332 MINNESOTA ST STE E610, SAINT PAUL MN 55101-1311  
(address filed with court: Ditech Financial LLC, 332 Minnesota Street - Suite 610,  
Saint Paul, MN 55101)  
517865026 +Dsnb Macys, PO Box 8218, Mason, OH 45040-8218  
517865027 +Jersey Shore Univ Med Ctr, 6900 College Blvd. Suite 550, Overland Park, Kansas 66211-1596  
517865029 Laboratory Corporation of America Holdin, PO Box 2240, Burlington, NC 27216-2240  
517865032 #Pay Pal Credit, PO Box 105658, Atlanta, GA 30348-5658  
517865033 Pressler, Felt & Warshaw, LLP, 7 Entin Road, Parsippany, NJ 07054-5020  
517865034 +++REAL TIME RESOLUTIONS, 332 MINNESOTA ST STE E610, SAINT PAUL MN 55101-1311  
(address filed with court: Real Time Resolutions, 332 Minnesota Street - Suite 610,  
Saint Paul, MN 55101)  
517865036 +Receivable Collection, 170 Jericho Tpke, Floral Park, NY 11001-2024  
517865037 +Ryan Gentile, 110 Jericho Turnpike, Suite 100, Floral Park, NY 11001-2019  
517865039 Selip & Stylianou, LLP, 199 Crossways Park Drive, PO Box 363, Woodbury, NY 11797-0363  
517865040 +Sunoco/citi, PO Box 6497, Sioux Falls, SD 57117-6497  
517865043 +Thomas Edison State University, Office of the Bursar, 111 West State Street,  
Trenton, NJ 08608-1101  
517865044 +University Radiology Group, 483 Cranbury Road, East Brunswick, NJ 08816-3610  
517960155 Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438  
517865045 +Wf/bobs Fn, PO Box 14517, Des Moines, IA 50306-3517

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
smg E-mail/Text: usan.j.njbankr@usdoj.gov Mar 23 2019 00:37:07 U.S. Attorney, 970 Broad St.,  
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Mar 23 2019 00:37:03 United States Trustee,  
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
Newark, NJ 07102-5235  
517865015 E-mail/Text: ebn@americollect.com Mar 23 2019 00:37:15 Americollect Inc, PO Box 1566,  
Manitowoc, WI 54221  
517969664 E-mail/PDF: resurgentbknofications@resurgent.com Mar 23 2019 00:41:26  
Ashley Funding Services, LLC, Resurgent Capital Services, PO Box 10587,  
Greenville, SC 29603-0587  
517865020 E-mail/Text: bnc-capio@quantum3group.com Mar 23 2019 00:37:01 Capio Partners LLC,  
222 Texoma Pkwy, Sherman, TX 75091  
517865023 +E-mail/PDF: pa\_dc\_ed@navient.com Mar 23 2019 00:41:53 Dept Of Ed/navient, PO Box 9635,  
Wilkes Barre, PA 18773-9635  
517876317 E-mail/Text: mrdiscen@discover.com Mar 23 2019 00:36:23 Discover Bank,  
Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
517865024 +E-mail/Text: mrdiscen@discover.com Mar 23 2019 00:36:23 Discover Fin Svcs LLC,  
PO Box 15316, Wilmington, DE 19850-5316  
517976793 E-mail/Text: bankruptcy.bnc@ditech.com Mar 23 2019 00:36:49 Ditech Financial LLC,  
P.O. Box 6154, Rapid City, SD 57709-6154  
517865028 +E-mail/Text: bncnotices@becket-lee.com Mar 23 2019 00:36:28 Kohls/capone,  
N56 W. 17000 Ridgewood Drive, Menomonee Falls, WI 53051-7096  
517950501 +E-mail/Text: bankruptcydpt@mcmcg.com Mar 23 2019 00:37:03 MIDLAND FUNDING LLC,  
PO Box 2011, Warren, MI 48090-2011  
517865030 +E-mail/Text: bankruptcydpt@mcmcg.com Mar 23 2019 00:37:03 Midland Funding,  
2365 Northside Drive - Suite 300, San Diego, CA 92108-2709  
517980509 E-mail/PDF: pa\_dc\_claims@navient.com Mar 23 2019 00:41:53  
Navient Solutions, LLC. on behalf of, Department of Education Loan Services, PO BOX 9635,  
Wilkes-Barre, PA 18773-9635  
517865031 +E-mail/Text: bnc@nordstrom.com Mar 23 2019 00:36:37 Nordstrom/td Bank Usa,  
13531 E. Caley Avenue, Englewood, CO 80111-6504  
517979010 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Mar 23 2019 00:41:13  
Portfolio Recovery Associates, LLC, c/o Sunoco, POB 41067, Norfolk VA 23541  
517892104 E-mail/Text: bnc-quantum@quantum3group.com Mar 23 2019 00:36:58  
Quantum3 Group LLC as agent for, CF Medical LLC, PO Box 788, Kirkland, WA 98083-0788

District/off: 0312-3

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 50

Date Rcvd: Mar 22, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

517865035	E-mail/Text: bkdepartment@rtresolutions.com Mar 23 2019 00:37:19 Real Time Resolutions, Inc., PO Box 36655, Dallas, TX 75235-1655	
517968777	E-mail/Text: bkdepartment@rtresolutions.com Mar 23 2019 00:37:19 Real Time Resolutions, Inc., 1349 Empire Central Drive, Suite #150, Dallas, Texas 75247-4029	
517962045	+E-mail/Text: bncmail@w-legal.com Mar 23 2019 00:37:18 c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132	SYNCHRONY BANK,
517865038	+E-mail/Text: bankruptcy@savit.com Mar 23 2019 00:37:57 46 W. Ferris Street, East Brunswick, NJ 08816-2159	Sa-vit Collection Agen,
517865041	E-mail/PDF: gecsedirecoverycorp.com Mar 23 2019 00:42:23 Orlando, FL 32896-0013	Syncb/amazon, PO Box 960013,
517865042	+E-mail/PDF: gecsedirecoverycorp.com Mar 23 2019 00:42:23 Orlando, FL 32896-5036	Syncb/sleepys, PO Box 965036,
517865448	+E-mail/PDF: gecsedirecoverycorp.com Mar 23 2019 00:42:23 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021	Synchrony Bank,
		TOTAL: 23

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 24, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 21, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Kevin Gordon McDonald on behalf of Creditor Ditech Financial LLC kmcdonald@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Ryan L. Gentile on behalf of Debtor Charlene Roberts rlg@lawgmf.com,  
rlgentile82@gmail.com;gmf@lawgmf.com;sp@lawgmf.com;firm@lawgmf.com;jemhardt@lawgmf.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5